nity of reading the newspaper report or the leader to which criticism had been directed, he gathered from the speeches made by the members that the newspaper in question had disapproved of the action of the Assembly in passing the Public Security Bill. That by itself might not have caused any resentment, as every one was entitled to form and express his own views. Such a right was claimed and habitually exercised by the members of the House, who would surely not think of denying it to others, particularly to a newspaper which also purported, from its own standpoint, to voice public opinion.

The members felt hurt by certain purely personal remarks said to have been made upon those who had spoken in favour of the Bill and even more by the newspaper's attempt to discount the views of the Assembly by asserting or implying that the members did not represent the people.

It was well known that members of the House had been elected by constituencies formed on a wide franchise. They had perhaps secured their seats after canvassing and contest. Some of them were natural leaders in the rural parts, whom the voters delighted to honour by sending them as their representatives to this Assembly. Their standing was such that they would be returned to a popular body under any form of constitution. The one peculiar feature of the Assembly was that it was wholly a non-official body and with very few exceptions, the members were all elected. A distinguished visitor to this Assembly who was watching the proceedings had just told the speaker that he was greatly struck by the unique fact that in this Assembly the raiyats were represented by raiyats, and not by lawyers.

It was also a matter of common knowledge that the members of the Assembly had always exercised an independent judgment. The Government had at times found it necessary to introduce in the Legislative Council measures which had been turned down by the Assembly. But it would be impertinence for any one disagreeing with its views to suggest that the members of the Assembly were not representatives of the people. If such a charge were now made, Government were at one with the members in repudiating it.

One of the speakers had observed that criticisms of the House in the Press and elsewhere should be ignored and added that while the dogs barked the elephant moved on. Another speaker had told the members that public workers should not be unduly sensitive. That was certainly one way, and a sensible way, of looking at the matter. At the same time, it was not improper for the House to take notice of public comments on its proceedings, calculated to lower its prestige. And it was on this basis that some of the speeches had been made. The discussion that had taken place that day would be duly reported in the newspapers as well as in the official records of the Assembly, and would serve to vindicate the honour and self-respect of the House, which the Government, on their part were equally bound and anxious to uphold. The matter might be allowed to rest at that.

REPRESENTATIONS—*contd.*

No. 98.—Grant of timber to Malnad raiyats at concession rates for construction of dwelling houses.

Mr. M. RAMANNA GOWDA *bin* THAMMANNA GOWDA (Koppa Taluk).

Mr. M. RAMANNA GOWDA *bin* THAMMANNA GOWDA said that holders of lands in the malnad generally paid land revenue assessment exceeding Rs. 25. The *khatedars* had to make arrangements with the *shikmidars* with regard to dwelling houses, cattle sheds, etc., at their own cost. This was causing great hardship and loss to the khatedars. For these reasons, he requested that timber might be made available to the malnad raiyats for sale at concession rates. He also brought to notice that the raiyats could not always load the carts quite correctly. If in the opinion of the forest authorities the cart was overloaded, even slightly, the raiyat would be subjected to considerable harassment.

The CHIEF CONSERVATOR of FORESTS (Mr. C. Abdul Jabbar) enquired whether the concession asked for was meant to apply both to khatedars as well as shikmidars. He added that the rules were liberal enough even at present, since the concessions were extended to non-agriculturists also. As regards removal of timber in excess of the quantities allowed, by the licencees, if such excess amounted to more than 25 per cent of the quantities permitted, full seigniorage was levied. The concessional rates applied even up to an excess removal of 25 per cent. These conditions were quite liberal.

No. 99.—Affording facilities to the raiyats for the removal of fuel and small bamboos for *bona fide* purposes from the forests near Bhadravathi.

Mr. K. G. BASAPPA (Kumsi Sub-Taluk).

Mr. K. G. BASAPPA represented that for supply of charcoal to the Mysore Iron and Steel Works, Bhadravathi, a major portion of the district and minor-forest produce set apart for the benefit of the raiyats was being exploited. He prayed that these forests might be included in the State Forests and facilities given to the raiyats to remove the essential items of forest produce such as bamboos (small and big) and fuel for their *bona fide* purposes, at concessional rates.

The CHIEF CONSERVATOR of FORESTS (Mr. C. Abdul Jabbar) replied that the raiyats in the malnad were permitted to get certain concessions under the Malnad Raiyats' Privileges Rules and they could get their requirements not only from District Forests but from State Forests also under certain circumstances.

Mr. K. G. BASAPPA said that the rules were all right in themselves, but that his complaint was that the raiyats were not being allowed to reap the benefits thereof.

Mr. C. ABDUL JABBAR said that if that was the case and if specific grievances were brought to notice, he would do his best to redress them.

Mr. K. G. BASAPPA said that the local officers were insisting that licences should be obtained even in respect of minor concessions specifically provided under the rules.

The FIRST MEMBER (Rajamantrapravina N. Madhava Rau) promised that instructions would be issued to all local officers to the effect that no inconvenience should be caused to the raiyats as far as possible.

Mr. Bhupalam R. CHANDRASEKHARAYYA brought to notice that the replies of the Chief Conservator and of the Member of Council were quite sympathetic. But there were some difficulties on account of the fact that certain deserving taluks had not been classed as malnad, so that the raiyats thereof were not in a position to get any benefit from the said rules. For instance, in the Shimoga Taluk, while Kumsi Sub-Taluk was treated as malnad, Shimoga was not, and the raiyats of the latter taluk could not derive any benefit from the rules under reference.

Mr. C. ABDUL JABBAR replied that recently orders had been issued extending the concessions allowed under the Malnad Raiyats' Privileges Rules to Shimoga Taluk and parts of the Honnali Taluk.

No. 100.—Free removal of thorns from District Forests and Jungles in *gomal* lands.

Mr. K. BASAPPA (Birur Municipality).

Mr. K. BASAPPA represented that under the present rules, the raiyats had to pay fees or obtain *mafi* licences for the removal of thorns from district forests and jungles in *gomal* for fencing purposes. He stated that thorns were not a commodity generally available for sale and added that removal of thorns would incidentally help to clear the jungles, thus facilitating the growth of trees therein. Government were not realising any income worth the name by levying fees on the thorns removed from district forests and jungles. For these reasons he prayed that the system of payment of fees or obtaining *mafi* licences be done away with and the raiyats permitted to remove the thorns freely.

The PRESIDENT said that the Chief Conservator would look into the matter.

No. 101.—Surrender of lands included in the forest area for cultivation.

Mr. KALLINGAPPA *bin* KALAPPA (Jagalur Taluk).

Mr. KALLINGAPPA prayed that certain lands round about Madimachikere and Gowdikatte villages of the Jagalur Taluk, now included in the forest area, be released for cultivation purposes.

The CHIEF CONSERVATOR of FORESTS (Mr. C. Abdul Jabbar) observed that Rangainadurga was the only forest with good tree growth in the Jagalur Taluk and as such it should be protected. But he promised at the same time to visit the area, ascertain whether the villagers had any real difficulty as a result of the inclusion of the lands in question as forest area, and if necessary, surrender lands for cultivation.

No. 102.—Abolition of revenue and forest *hulbanni* in Heggaddevankote Taluk.

Messrs. T. S. SIVALINGASWAMY (T.-Narsipur Taluk); SIDDAVEERAPPA, GURUBASAPPA and K. N. PUTTANNA (Chamarajnagar Taluk); K. C. SUBBANNA (Gundlupet Taluk); G. MALLANNA (Mysore Taluk); Lokasevaniratha B. SIDDALINGA SETTY (Krishnarajnagar Taluk); K. NANDI BASAPPA, Rao Sahib M. RAMASWAMY and M. SHAMANNA (Mysore City Municipality); and H. P. BASAPPA (Heggaddevankote Taluk).

Mr. H. P. BASAPPA represented that rains in the past year had completely failed in Heggaddevankote Taluk and no fodder was available for cattle. But the Revenue and the Forest Departments continued to levy the usual grazing fees. The Forest Department had remitted *hulbanni* in the current year, but no relief was given by the Revenue Department at any time in spite of representations made by the raiyats. He prayed that orders be issued directing the Revenue and the Forest Departments not to collect *hulbanni* and to refund the same if already collected.

The FIRST MEMBER (Rajamantrapravina N. Madhava Rau) said that so far as forest *hulbanni* was concerned, it was remitted when free grazing was sanctioned on account of adverse seasonal conditions.

Mr. H. P. BASAPPA said that even in such cases, fees were being levied.

Mr. N. MADHAVA RAU agreed that once it was paid, it would be difficult to obtain refunds.

Mr. H. P. BASAPPA brought to notice that the income from both revenue and forest *hulbanni* was not more than Rs. 1,000. So by remitting the fees, the Government would lose nothing substantial, while at the same time, the relief to the raiyats would be very great.

Mr. N. MADHAVA RAU said that, on principle, it was not possible to waive the levy.

Mr. N. BHOGI MALLIAH stated that much of the difficulty to the raiyats was caused by the fact that patels were allowed to bid in open auctions, obtain a lease for nominal amounts but make huge profits by allowing grazing of the village cattle.

The DEPUTY COMMISSIONER, MYSORE DISTRICT (Mr. K. Subba Rao) suggested that the lease might as well be taken by the village panchayats themselves instead of by individuals, in which case, all the cattle in the village could be allowed to graze and the owners made to pay a small amount on a proportionate or any other reasonable basis.

Messrs. N. BHOGI MALLIAH and SIVALINGASWAMY agreed that that would be a very good arrangement indeed, but that even such an arrangement could not be taken advantage of by panchayats which had no surplus funds.

Mr. K. SUBBA RAO said that in such circumstances, the only alternative would be for a few of the influential raiyats in the village to obtain the lease jointly and help the rest of the villagers by levying a small fee from each.

No 103.—Waiving of recovery of *hulbanni*.

Mr. B. L. HUTCHAPPA (Channarayapatna Taluk).

No. 104.—Exemption from payment of forest and revenue *hulbanni*.

Messrs. K. MADHAVA RAU (Nagar Taluk) and J. SIVARUDRAPPA (Honnali Taluk).

Mr. B. L. HUTCHAPPA represented that owing to inadequate rainfall in the State during the preceding years, raiyats were experiencing difficulty for fodder for their cattle. Agriculture was

the main occupation of people in Mysore State and cattle were the mainstay for agriculture. For that reason he requested that *hulbanni* be abolished altogether, in both forest and revenue areas. If for any reason this could not be done, he prayed that it be suspended at least so long as rainfall was inadequate. He had heard that in Bombay and Madras Presidencies, *hulbanni* was not being levied at all and he urged that the same procedure be adopted in Mysore also.

The CHIEF CONSERVATOR of FORESTS (Mr. C. Abdul Jabbar) said that whenever the rains held back and the raiyats were consequently in difficulty, *hulbanni* was not being collected. In times of drought and distress, particularly, the Forest Department was giving effect to whatever concessions were recommended by the Revenue Department in the matter of free grazing, etc.

Mr. B. L. HUTCHAPPA said that he was making this representation on behalf of the maidan parts in general.

The FIRST MEMBER (Rajamantrapravina N. Madhava Rau) observed that if there was famine or distress, Government would consider the question of granting such a concession, but that it could not be done as a general rule.

Mr. Bhupalam R. CHANDRASEKHARAYYA repeated that while, after all, this was a source of very meagre income to the Government, to the raiyats the levy was operating as a heavy burden and this was the reason why they were all along praying that the levy should be abolished. The objection of the department to abolish the fees seemed to be that if no restriction was imposed, the forests would be destroyed by the cattle. The best way therefore to satisfy the popular demand and at the same time preserve the forests would be to reduce the existing rates by 50 per cent. He added that in the case of certain classes of persons who had no homes of their own and always kept moving from place to place together with their cattle, the present rate was indeed high and some concession was called for.

Mr. C. ABDUL JABBAR was of the opinion that nobody could have any serious difficulty since the present rates were low enough. Whereas the rate prevailing in certain cases was Rs. 2 per head of cattle, the rate generally charged by the department was not more than 4 to 8 annas.

Mr. Bhupalam R. CHANDRASEKHARAYYA enquired whether it was not a fact that in Bombay the levy had been altogether abolished.

Mr. C. ABDUL JABBAR said that he did not think that the fees were totally abolished but he would however enquire about it.

No. 105.—Empowering patels and shanbhogs to issue *mafi* licences to cut and remove trees from *hiduvali* lands.

Messrs. VEERE GOWDA (Dodballapur Taluk) and **A. M. CHANNAMARE GOWDA** (Nelamangala Taluk).

Mr. VEERE GOWDA represented that raiyats cut and removed jungle-wood and casuarina trees, either grown in their own lands or those purchased from others and carted the fuel to Bangalore and such other towns for their own use or for purposes of sale to make a living out of it. Officers of the Forest Department and others put the ignorant raiyats into various difficulties by seizing the fuel carts and taxing them in various ways. There was no restriction of obtaining licences for this purpose before and people used to obtain *mafi* licences from either shanbhogs or patels, permitting the raiyats to convey fuel. The system of obtaining licences, which had been newly introduced, was acting as a great hardship on the poor raiyat and prayed that the standing rules in this behalf might be so amended as to empower the patel, shanbhog or panchayet chairman to issue *mafi* licences to cut and remove trees. It was learnt that this practice of obtaining licences for cutting and removing the trees was introduced on the suggestion of the Forest Department. The Forest Department had been maintaining a large staff for the supervision of the forest in the State. These officers might watch and book people who cut and removed trees illicitly from the

forest area. Instead of doing so, the imposition of this restriction as a general rule was not justifiable.

He prayed that this restriction may be removed.

The CHIEF CONSERVATOR of FORESTS (Mr. C. Abdul Jabbar) said that this very subject had come up for discussion at the Shimoga District Conference, as a result of which, patels had been empowered to issue licences to each landholder in the village concerned for removing not more than four cart-loads of firewood for domestic consumption. But in the case of removal of firewood meant for sale, it was necessary that the party concerned should obtain a licence from the Amildar.

Mr. VEERE GOWDA said that people would be put to much difficulty if they were to obtain licences from the Amildars and in certain cases, would also have to incur unnecessary expenses for the purpose. He therefore urged that the restriction of a licence in the case of removal of fuel for home consumption be done away with. He added that the Forest Department had sufficient means to prevent removal of fuel for unauthorised purposes and book the culprits.

Mr. A. N. CHANNAMARE GOWDA said that even at present, the landholders were experiencing great difficulty in getting firewood from their *hiduvali* lands. For example, a person living in Bangalore had to satisfy half a dozen authorities before he could bring fuel from his own lands in Nelamangala Taluk for consumption at Bangalore. He would therefore be glad if either the patel of the village or the chairman of the village panchayat was empowered to issue licences.

Mr. C. ABDUL JABBAR said that some sort of restriction was necessary because when once a tree was cut and removed, it would be difficult to ascertain whether it was cut in a State Forest or in a *hiduvali* land.

Mr. K. BASAPPA brought to notice that the order issued about a year ago empowering patels to issue licences had not taken effect as yet and requested that effect be given to it at least in future.

Messrs. JATHARE NAIK and **L. VEMA REDDY** supported the request.

Mr. RAME GOWDA did not see any justification to insist on *hiduvalidars* to obtain *mafi* licences from either the patels or anybody else, before fuel from their own lands could be removed.

The FIRST MEMBER (Rajamantra pravina N. Madhava Rau) promised that Government would make enquiries again and that if any change in the rules was called for, the same would be effected.

No. 106.—Issue of free passes by the Amildar for transport of timber from forests.

Mr. K. VENKATARAMIAH (Arkalgud Taluk).

Mr. K. VENKATARAMIAH said that at present, licences issued by Amildars were not being respected in many instances by forest officers. The Amildars gave 10 days' or 15 days' time, but the forest officers (Rangers) took their own time to go and inspect the trees, so that by the time inspection was over, the period specified in the licence would have been over.

Secondly, the Government had ordered in 1938 that patels might issue *mafi* licences for each *hiduvalidar* removing four cart-loads of fuel. But that order could not take effect since the patels had not been supplied with licence forms. The member represented that this was causing a lot of inconvenience to *hiduvalidars*.

The CHIEF CONSERVATOR of FORESTS (Mr. C. Abdul Jabbar) said that he was not aware of the inconvenience caused to land-owners. It looked to him that the time limit of one month within which forest officers should inspect trees was rather too much and he would consider whether the period could not be reduced to 15 days.

As regards supply of licence forms, he promised to take necessary action.

Mr. Tudki RAMANNA GOWDA said that under the rules, if *hiduvalidars* did not remove the fuel within the prescribed period and if an extension of time was prayed for, they had to pay a penalty. This, he represented, was working as a great hardship calling for immediate redress.

Mr. C. ABDUL JABBAR said that in the case of *mafi* licences, there was nothing like a penalty even for extension of time.

Mr. Tudki RAMANNA GOWDA urged that even in respect of licences obtained on payment, no penalty should be levied because in many cases, due to unforeseen circumstances, it might not be possible to remove the fuel within the time prescribed.

Najm ut-ujjar HAJI MAHOMED MUSTAPHA SAHIB said that the system of issuing licences was a wholesome one. If that system was relaxed as suggested, he feared that the forests would soon disappear He was himself a contractor dealing in gall-nut and tangadi bark and his experience was that the system of issuing licences had saved the forests to a great extent. He therefore insisted that licences should be issued only by the Amildars and not by patels or anybody else.

Mr. K. VENKATARAMIAH said he would have no objection to the suggestion, but was particular that the time-limit now fixed, quite insufficient, should be extended.

Mr. C. ABDUL JABBAR said that he would issue instructions to the departmental officers to see that all reasonable facilities were given in the matter of removal of firewood.

The House rose at 5 p.m. for the day to meet again at 12 of the clock the following day.

SIXTH DAY.

Saturday, 21st October 1939.

The House reassembled at the Jagan Mohan Palace Pavilion on Saturday, 21st October 1939, at 12 of the clock, Mr. President (*Amin-ul-Mulk* Sir Mirza M. Ismail, K.C.I.E., O.B.E., Dewan) in the Chair.

QUESTIONS AND ANSWERS—*contd.*

Remissions under Kodihalli Tank.

Q.—50. **Mr. D. SIVASANKARIAH** (Chellakere Taluk).—

Will the Government be pleased to state :—

(*a*) whether it is a fact that Kodihalli tank is being supplied with water from Lakalgere channel;

(*b*) whether it has come to their notice that the Kodihalli tank is not receiving sufficient water year by year;

(*c*) whether any order has been passed by Government at any time before, that only half the assessment should be recovered on lands under the tank if it did not receive more than half the quantity of water before the 15th of November every year and if no wet crops were raised on the lands;

(*d*) when was such order passed;

(*e*) for how many years has assessment been so recovered;

(*f*) from what years has full assessment been recovered and for what reasons;

(*g*) the number of petitions that were presented by the raiyats under the Kodihalli tank in the matter of remission of assessment on lands under this tank and on what dates;

(*h*) how these petitions were disposed of by Government?

A.—**The CHIEF SECRETARY to GOVERNMENT (Rajasevaprasaktha B. T. Kesavalengar).**—

(*a*) Yes.

(*b*) This tank received full supply of water in some years and less than half in other years when the question of remission was duly considered on merits.

(*c*) Yes.